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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional)
YOR919980392US2 (473-2)

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Application Number	Filed
09/806,544	July 2, 2001

First Named Inventor: Ponani Gopalakrishnan

Art Unit	Examiner
2195	Lewis A. Bullock Jr.

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).
Note: No more than five (5) pages may be provided.

I am the

- ☐ applicant/inventor.
- ☐ assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)
- ☑ attorney or agent of record. Registration number 43,584
- ☐ attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____

Signature

Frank V. DeRosa

Typed or printed name

516-496-3868

Telephone number

28 April 2008

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☑ *Total of 1 forms are submitted.

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Gopalakrishnan, et al.

Examiner: Bullock Jr. Lewis A.

Serial No.: 09/806,544

Group: Art Unit 2195

Filed: July 2, 2001

Docket: YOR919980392US2 (473-2)

For: **Conversational Browser and Conversational Systems**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313

Statement in Support of Pre-Appeal Brief Request for Review

This paper is being filed in support of Applicants' Pre-Appeal Brief Request for Review. A Notice of Appeal has been filed herewith in response to the Final Office Action mailed on December 28, 2007. Applicants respectfully contend that the claim rejections set forth in the Final Office Action are clearly erroneous as a matter of fact and/or law.

Claims 23-31, 33-45 and 47-91 and 93-100 are pending in the application and stand rejected under 35 U.S.C. 103 as being unpatentable over U.S. Patent No. 6,269,336 to Ladd in view of the article by Li, et al., "Multimedia Content Description in the InfoPyramid".

Applicants submit that at the very least, claims 23, 39 and 80 are patentable and non-obvious over the combination of Ladd and Li on the grounds that Ladd does not disclose or suggest a conversational browser or method for processing a CML document and rendering its conversational dialog in one or more of a plurality of user interface modalities, as essentially claimed in claims 23, 39 and 80.

The Examiner acknowledges that with regard to claim 23, LADD fails to teaches a *CML file that comprises meta-information implementing a conversational dialog to enable interaction with the user in a plurality of user interface modalities including a GUI (graphic user interface) modality and speech modality*, to render the conversational dialog in one or more of the plurality of user interface modalities. It is readily clear that with regard to claim 39, LADD does not disclose or suggest, for example, *a content server comprising one of content pages, applications, and a combination thereof, wherein the content pages and applications are implemented using a conversational markup language (CML) to describe a conversational dialog for interaction with a user in a plurality of user interface modalities including a GUI (graphic user interface) modality and speech modality.* Moreover, with regard to claim 80, LADD clearly does not disclose or suggest, for example, *generating a request based on the processed input command to access a CML (conversational markup language) file from a content server, the CML file comprising meta-information to implement a conversational dialog in a plurality of user interface modalities including a GUI (graphic user interface) modality and speech modality.*

However, Applicants respectfully contend that Li fails to cures the deficiencies of LADD in this regard. Li is irrelevant. Li discloses nothing more than a content description language for multimedia that improves searching, indexing and managing multimedia contents, where InfoPyramid facilitates search, retrieval, manipulation and transmission of multimedia data by providing a hierarchy of content descriptors in the context of MPEG. This disclosure is irrelevant, as the content description only relates to multimedia content description in the MPEG domain. Li teaches a method for describing multimedia content for the purpose of developing standard processing for developing and publishing content descriptions (see,

Introduction). The MPEG content description is simply not related to the process of parsing and *interpreting a CML file or application to render the conversational dialog of such CML file/applocation in one or more of a plurality of user interface modalities* – conversational dialog rendering is different that MPEG content description.

For at least these reasons, claims 23, 39 and 80 are patentable and non-obvious over the combination of Ladd and Li. All pending dependent claims are patentable and non-obvious over said combination for at least the same reasons. The rejections should be withdrawn.

Respectfully submitted,

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